

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AMERICAN PATENT DEVELOPMENT  
CORPORATION LLC,

Plaintiff,

v.

MOVIELINK LLC,

Defendant.

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Civil Action No. 07-605 JJF

**STIPULATION AND ORDER**

WHEREAS, the Court's Rule 16 Scheduling Order entered in this matter on January 11, 2008 requires fact depositions to be completed by July 31, 2008; and

WHEREAS, the parties have determined that certain witnesses will not be available on or before July 31, 2008 for depositions; and

WHEREAS, the parties respectfully request an extension of the deadlines for (1) taking fact depositions and (2) briefing the claim construction issues for the Court;

IT IS HEREBY STIPULATED AND AGREED by the parties hereto, by and through their undersigned counsel, and subject to the approval of the Court, that:

1. Paragraph 3(d) of the Court's Scheduling Order is hereby amended to reflect that fact depositions in this matter shall be completed on or before August 15, 2008; and

2. Paragraph 7 of the Court's Scheduling Order shall be amended to reflect that:

a. On or before July 31, 2008, the parties shall meet and confer to attempt to determine to the greatest extent possible the claim terms which will need to be construed by the Court, and to determine the extent of any disagreement on the meaning of claim terms.

- b. On or before August 28, 2008, the parties shall file and serve their opening claim construction briefs.
- c. On or before September 19, 2008, the parties shall file and serve their responsive briefs on claim construction.

In all other respects, the Court's Scheduling Order of January 11, 2008 shall remain in full force and effect.

/s/Thad J. Bracegirdle

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Dated: July 9, 2008

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Dated: July 9, 2008

IT IS SO ORDERED this \_\_\_\_ day of July, 2008.

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U.S. District Court Judge